

EDUCATION AND WORKFORCE DEVELOPMENT CABINET
Education Professional Standards Board
(Amendment)

16 KAR 2:180. One (1) year conditional certificate.

RELATES TO: KRS 161.020, 161.028, 161.030, 161.1211

STATUTORY AUTHORITY: KRS 161.030(3)(b)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.030(3)(b) establishes a one (1) year conditional certificate for persons who have completed an approved teacher preparation program but have taken and failed to successfully complete the appropriate assessments selected by the Education Professional Standards Board (EPSB). KRS 161.030(3)(b) also requires the ~~EPSB~~~~board~~ to promulgate an administrative regulation to establish the standards and procedures for issuance of the conditional certificate. This administrative regulation establishes the standards and procedures for issuance of the one (1) year conditional certificate.

Section 1. A teacher applicant for the one (1) year conditional certificate shall have:

- (1) Taken all of the appropriate assessments established in 16 KAR 6:010 corresponding to the approved teacher preparation program completed by the teacher applicant; and
- (2) Failed at least one (1) of the assessments required by subsection (1) of this section.

Section 2. (1) A superintendent, on behalf of the employing local board of education, shall be responsible for requesting the one (1) year conditional certificate.

(2) Application shall be made to the EPSB ~~[on Form TC-1]~~.

(a) The teacher applicant shall meet the requirements of 16 KAR 2:010, Section 3(1) ~~[complete sections I and III of Form TC-1]~~.

(b) The certification officer of the teacher applicant's approved teacher preparation program shall submit documentation to the EPSB ~~[complete section IV of Form TC-1]~~:

1. Indicating that the teacher applicant has completed all required coursework of the teacher preparation program corresponding to each grade level and specialization for which certification is requested; and

2. Recommending the teacher applicant for the one-year conditional certificate.

(3)(a) The teacher applicant shall submit an official college transcript from each college or university attended.

(b) The teacher applicant shall have at least a bachelor's degree with:

1. A cumulative grade point average of 2.75 ~~[2.50]~~ on a 4.0 scale; or

2. A grade point average of 3.00 on a 4.0 scale on the last thirty (30) ~~[sixty (60)]~~ hours of credit completed, including undergraduate and graduate coursework.

(4) The employing school district shall submit the following materials to the EPSB ~~[with Form TC-1]~~:

(a) A plan for providing technical assistance and mentoring to the conditionally-certified teacher to:

1. Offer support during in-class and out-of-class time to assist the conditionally-certified teacher in meeting the teacher's instructional responsibilities; and

2. Assist the conditionally-certified teacher in passing each appropriate assessment required by 16 KAR 6:010; and

(b) The name, contact person, and role for the collaborating teacher education institution.

(5) The employing school district shall be responsible for all costs associated with providing the technical assistance and mentoring to the conditionally-certified teacher.

Section 3. (1)(a) The conditional certificate shall be issued for a validity period not to exceed one (1) year.

(b) The one (1) year conditional certificate shall not be reissued or renewed.

(2) The one (1) year conditional certificate shall be:

(a) Issued in accordance with a grade level and specialization established in 16 KAR 2:010; and

(b) Valid for each grade level and specialization listed on the face of the certificate.

(3)(a) The one (1) year conditional certificate shall be issued at the rank corresponding to the degree held by the teacher applicant.

(b) Advanced degrees shall be considered in accordance with the requirements established in 16 KAR 8:020.[]

~~Section 4. Incorporation by Reference. (1) Form TC-1, rev. 7/2001, Education Professional Standards Board, is incorporated by reference.~~

~~(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40602, Monday through Friday, 8 a.m. to 4:30 p.m.]~~

LISA RUDZINSKI, Board Chair

APPROVED BY AGENCY: July 19, 2021

FILED WITH LRC: June 24, 2021

PUBLIC HEARING AND PUBLIC COMMENT PERIOD: A public hearing on this proposed administrative regulation shall be held on September 23, 2021, at 10:00 a.m. in the State Board Room, Fifth Floor, 300 Sower Boulevard, Frankfort, Kentucky. Individuals interested in being heard at this meeting shall notify this agency in writing five working days prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through September 30, 2021. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to:

CONTACT PERSON: Todd Allen, General Counsel, Kentucky Department of Education, 300 Sower Boulevard, 5th Floor, Frankfort, Kentucky 40601, phone 502-564-4474, fax 502-564-9321; email regcomments@education.ky.gov.

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Contact Person: Todd Allen

(1) Provide a brief summary of:

(a) What this administrative regulation does: This administrative regulation establishes the standards and procedures for issuance of the one (1) year conditional certificate established in KRS 161.030(3)(b).

(b) The necessity of this administrative regulation: This administrative regulation is necessary to set the standards and procedures for issuance of the one (1) year conditional certificate.

(c) How this administrative regulation conforms to the content of the authorizing statutes: KRS 161.030(b) creates a one (1) year conditional certificate. If an applicant for teacher certification

has completed the approved teacher preparation program and has taken but failed to successfully complete the appropriate assessments selected by the Education Professional Standards Board, a conditional certificate may be issued for a period not to exceed one (1) year, if the employing school district, in collaboration with the teacher education institution, agrees to provide technical assistance and mentoring support to the conditionally certified teacher. This administrative regulation sets the standards and procedures for issuance of that certificate.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This administrative regulation delineates the requirements for issuance of the one (1) year conditional certificate.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation: This amendment removes the reference to an outdated application and updates the required grade point average to align with other certificates.

(b) The necessity of the amendment to this administrative regulation: The amendment is necessary to update the required grade point average and remove the outdated application.

(c) How the amendment conforms to the content of the authorizing statutes: KRS 161.030 creates a one (1) year conditional certificate and this amendment updates the standards and procedures for the issuance of that certificate. This amendment updates the standards for issuance of that certificate.

(d) How the amendment will assist in the effective administration of the statutes: The amendment removes the reference to an outdated application and updates the grade point average required for issuance to align with other certificates.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: 172 Kentucky school districts, 30 educator preparation program providers, and educators seeking the one (1) year conditional certificate.

(4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment: No additional action will be required from districts or educator preparation providers. Applicants for the one (1) year certificate will have to ensure that they have the requisite grade point average.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): There is no cost associated with this amendment.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3): The educators issued the one (1) year conditional certificate will have the grade point average required for issuance of the full professional certificate.

(5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially: None

(b) On a continuing basis: None

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: State General Fund.

(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment: No increase in fees or funding will be necessary to implement this amendment.

(8) State whether or not this administrative regulation established any fees or directly or indirectly increased any fees: Certification fees are established by 16 KAR 4:040. No additional fees are established by this regulation.

(9) TIERING: Is tiering applied? Tiering is not applicable to the requirements of this regulation.

FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

(1) What units, parts, or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation? The Education Professional Standards Board, public colleges and universities with educator preparation programs and public-school districts.

(2) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation. KRS 161.020, KRS 161.028, KRS 161.030.

(3) Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect.

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year? There will be no additional revenues created by this amendment.

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years? There will be no additional revenues created by this amendment.

(c) How much will it cost to administer this program for the first year? There are no costs associated with this amendment.

(d) How much will it cost to administer this program for subsequent years? There are no costs associated with the amendment.

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

Revenues (+/-):

Expenditures (+/-):

Other Explanation: This is not a fee generating or a cost incurring program but, rather, establishes the standards for the one (1) year conditional certificate.